



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB0536

Introduced 2/1/2007, by Rep. David R. Leitch

SYNOPSIS AS INTRODUCED:

625 ILCS 5/3-412
625 ILCS 5/12-503

from Ch. 95 1/2, par. 3-412
from Ch. 95 1/2, par. 12-503

Amends the Illinois Vehicle Code. Provides that the prohibition against tinted windshields and tinted side windows does not apply to vehicles owned and operated by persons afflicted with or suffering from a medical illness, ailment, or disease requiring that person to be shielded from the direct rays of the sun, including but not limited to systemic or discoid lupus erythematosus, disseminated superficial actinic porokeratosis, or albinism, or to vehicles used in transporting a person who lives at the same address as the registered owner and is afflicted with or suffers from such an illness, ailment, or disease, regardless of the date on which the tinted windows were installed or the tinting was applied. Deletes language providing that the exemption does not apply after January 1, 2008. Deletes language providing that a permanent exemption applies only to vehicles owned and operated by or used in transporting persons afflicted with or suffering from systemic or discoid lupus erythematosus or albinism. Provides that the Secretary of State shall issue distinctive registration plates or plate stickers for the exempted vehicles (as well as for vehicles owned and operated by, or used in transporting, persons afflicted with or suffering from systemic or discoid lupus erythematosus or albinism). Provides that the Secretary shall issue the plates immediately upon receiving a physician's certification that an applicant qualifies for the plates. Effective immediately.

LRB095 07841 DRH 28002 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Sections 3-412 and 12-503 as follows:

6 (625 ILCS 5/3-412) (from Ch. 95 1/2, par. 3-412)

7 Sec. 3-412. Registration plates and registration stickers
8 to be furnished by the Secretary of State.

9 (a) The Secretary of State upon registering a vehicle
10 subject to annual registration for the first time shall issue
11 or shall cause to be issued to the owner one registration plate
12 for a motorcycle, trailer, semitrailer, motorized pedalcycle
13 or truck-tractor, 2 registration plates for other motor
14 vehicles and, where applicable, current registration stickers
15 for motor vehicles of the first division. The provisions of
16 this Section may be made applicable to such vehicles of the
17 second division, as the Secretary of State may, from time to
18 time, in his discretion designate. On subsequent annual
19 registrations during the term of the registration plate as
20 provided in Section 3-414.1, the Secretary shall issue or cause
21 to be issued registration stickers as evidence of current
22 registration. However, the issuance of annual registration
23 stickers to vehicles registered under the provisions of

1 Sections 3-402.1 and 3-405.3 of this Code may not be required
2 if the Secretary deems the issuance unnecessary.

3 (b) Every registration plate shall have displayed upon it
4 the registration number assigned to the vehicle for which it is
5 issued, the name of this State, which may be abbreviated, the
6 year number for which it was issued, which may be abbreviated,
7 the phrase "Land of Lincoln" (except as otherwise provided in
8 this Code), and such other letters or numbers as the Secretary
9 may prescribe. However, for apportionment plates issued to
10 vehicles registered under Section 3-402.1 and fleet plates
11 issued to vehicles registered under Section 3-405.3, the phrase
12 "Land of Lincoln" may be omitted to allow for the word
13 "apportioned", the word "fleet", or other similar language to
14 be displayed. Registration plates issued to a vehicle
15 registered as a fleet vehicle may display a designation
16 determined by the Secretary.

17 The Secretary may in his discretion prescribe that letters
18 be used as prefixes only on registration plates issued to
19 vehicles of the first division which are registered under this
20 Code and only as suffixes on registration plates issued to
21 other vehicles. Every registration sticker issued as evidence
22 of current registration shall designate the year number for
23 which it is issued and such other letters or numbers as the
24 Secretary may prescribe and shall be of a contrasting color
25 with the registration plates and registration stickers of the
26 previous year.

1 (c) Each registration plate and the required letters and
2 numerals thereon, except the year number for which issued,
3 shall be of sufficient size to be plainly readable from a
4 distance of 100 feet during daylight, and shall be coated with
5 reflectorizing material. The dimensions of the plate issued to
6 vehicles of the first division shall be 6 by 12 inches.

7 (d) The Secretary of State shall issue for every passenger
8 motor vehicle rented without a driver the same type of
9 registration plates as the type of plates issued for a private
10 passenger vehicle.

11 (e) The Secretary of State shall issue for every passenger
12 car used as a taxicab or livery, distinctive registration
13 plates.

14 (f) The Secretary of State shall issue for every motorcycle
15 distinctive registration plates distinguishing between
16 motorcycles having 150 or more cubic centimeters piston
17 displacement, or having less than 150 cubic centimeter piston
18 displacement.

19 (g) Registration plates issued to vehicles for-hire may
20 display a designation as determined by the Secretary that such
21 vehicles are for-hire.

22 (h) The Secretary of State shall issue distinctive
23 registration plates for electric vehicles.

24 (i) The Secretary of State shall issue for every public and
25 private ambulance registration plates identifying the vehicle
26 as an ambulance. The Secretary shall forward to the Department

1 of Healthcare and Family Services ~~Public Aid~~ registration
2 information for the purpose of verification of claims filed
3 with the Department by ambulance owners for payment for
4 services to public assistance recipients.

5 (j) The Secretary of State shall issue for every public and
6 private medical carrier or rescue vehicle livery registration
7 plates displaying numbers within ranges of numbers reserved
8 respectively for medical carriers and rescue vehicles. The
9 Secretary shall forward to the Department of Healthcare and
10 Family Services ~~Public Aid~~ registration information for the
11 purpose of verification of claims filed with the Department by
12 owners of medical carriers or rescue vehicles for payment for
13 services to public assistance recipients.

14 (k) The Secretary of State shall issue distinctive license
15 plates or distinctive license plate stickers for every vehicle
16 exempted from subsection (a) of Section 12-503 by subsection
17 (g) of that Section, and by subsection (g-5) of that Section
18 before its deletion by this amendatory Act of the 95th General
19 Assembly. The Secretary shall issue these plates or stickers
20 immediately upon receiving the physician's certification
21 required under subsection (g) of Section 12-503. New plates or
22 stickers shall also be issued when the certification is renewed
23 as provided in that subsection.

24 (Source: P.A. 94-239, eff. 1-1-06; 94-564, eff. 8-12-05;
25 revised 12-15-05.)

1 (625 ILCS 5/12-503) (from Ch. 95 1/2, par. 12-503)

2 Sec. 12-503. Windshields must be unobstructed and equipped
3 with wipers.

4 (a) No person shall drive a motor vehicle with any sign,
5 poster, window application, reflective material, nonreflective
6 material or tinted film upon the front windshield, sidewings or
7 side windows immediately adjacent to each side of the driver. A
8 nonreflective tinted film may be used along the uppermost
9 portion of the windshield if such material does not extend more
10 than 6 inches down from the top of the windshield. Nothing in
11 this Section shall create a cause of action on behalf of a
12 buyer against a dealer or manufacturer who sells a motor
13 vehicle with a window which is in violation of this Section.

14 (b) Nothing contained in this Section shall prohibit the
15 use of nonreflective, smoked or tinted glass, nonreflective
16 film, perforated window screen or other decorative window
17 application on windows to the rear of the driver's seat, except
18 that any motor vehicle with a window to the rear of the
19 driver's seat treated in this manner shall be equipped with a
20 side mirror on each side of the motor vehicle which are in
21 conformance with Section 12-502.

22 (c) No person shall drive a motor vehicle with any objects
23 placed or suspended between the driver and the front
24 windshield, rear window, side wings or side windows immediately
25 adjacent to each side of the driver which materially obstructs
26 the driver's view.

1 (d) Every motor vehicle, except motorcycles, shall be
2 equipped with a device, controlled by the driver, for cleaning
3 rain, snow, moisture or other obstructions from the windshield;
4 and no person shall drive a motor vehicle with snow, ice,
5 moisture or other material on any of the windows or mirrors,
6 which materially obstructs the driver's clear view of the
7 highway.

8 (e) No person shall drive a motor vehicle when the
9 windshield, side or rear windows are in such defective
10 condition or repair as to materially impair the driver's view
11 to the front, side or rear. A vehicle equipped with a side
12 mirror on each side of the vehicle which are in conformance
13 with Section 12-502 will be deemed to be in compliance in the
14 event the rear window of the vehicle is materially obscured.

15 (f) Paragraphs (a) and (b) of this Section shall not apply
16 to:

17 (1) motor vehicles manufactured prior to January 1,
18 1982; or

19 (2) to those motor vehicles properly registered in
20 another jurisdiction.

21 (g) Paragraph (a) of this Section shall not apply to any
22 motor vehicle with a window treatment, including but not
23 limited to a window application, reflective material,
24 nonreflective material, or tinted film, applied or affixed to a
25 ~~the motor vehicle that: for the purposes set forth in item (1)~~
26 ~~or (2) before the effective date of this amendatory Act of 1997~~

1 ~~and:~~

2 (1) ~~that~~ is owned and operated by a person afflicted
3 with or suffering from a medical illness, ailment, or
4 disease, including but not limited to systemic or discoid
5 lupus erythematosus, disseminated superficial actinic
6 porokeratosis, or albinism, which would require that
7 person to be shielded from the direct rays of the sun; or

8 (2) ~~that~~ is used in transporting a person when the
9 person resides at the same address as the registered owner
10 of the vehicle and the person is afflicted with or
11 suffering from a medical illness, ailment or disease which
12 would require the person to be shielded from the direct
13 rays of the sun, including but not limited to systemic or
14 discoid lupus erythematosus, disseminated superficial
15 actinic porokeratosis, or albinism.†

16 It must be certified in a statement or letter written
17 by a physician licensed to practice medicine in Illinois
18 that such person owning and operating or being transported
19 in a motor vehicle is afflicted with or suffers from such
20 illness, ailment, or disease, including but not limited to
21 systemic or discoid lupus erythematosus, disseminated
22 superficial actinic porokeratosis, or albinism, and such
23 certification must be carried in the motor vehicle at all
24 times. The certification shall be legible and shall contain
25 the date of issuance, the name, address and signature of
26 the attending physician, and the name, address, and medical

1 condition of the person requiring exemption. The
2 information on the certificate for a window treatment
3 ~~applied or affixed before the effective date of this~~
4 ~~amendatory Act of 1997~~ must remain current and shall be
5 renewed annually by the attending physician, ~~but in no~~
6 ~~event shall a certificate issued for purposes of this~~
7 ~~subsection be valid on or after January 1, 2008.~~ The person
8 shall also submit a copy of the certification to the
9 Secretary of State. The Secretary of State may forward
10 notice of certification to law enforcement agencies.

11 ~~This subsection shall not be construed to authorize window~~
12 ~~treatments applied or affixed on or after the effective date of~~
13 ~~this amendatory Act of 1997.~~

14 ~~The exemption provided by this subsection (g) shall not~~
15 ~~apply to any motor vehicle on and after January 1, 2008.~~

16 ~~This subsection (g) does not apply to the exemption set~~
17 ~~forth in subsection (g-5).~~

18 (g-5) (Blank). ~~Paragraph (a) of this Section does not apply~~
19 ~~to any motor vehicle with a window treatment, including but not~~
20 ~~limited to a window application, reflective material,~~
21 ~~nonreflective material, or tinted film, applied or affixed to a~~
22 ~~motor vehicle that:~~

23 ~~(i) is owned and operated by a person afflicted with or~~
24 ~~suffering from systemic or discoid lupus erythematosus or~~
25 ~~albinism; or~~

26 ~~(ii) is used in transporting a person who resides at~~

1 ~~the same address as the registered owner and is afflicted~~
2 ~~with or suffers from systemic or discoid lupus~~
3 ~~erythematosus or albinism.~~

4 ~~It must be certified by a physician licensed to practice~~
5 ~~medicine in Illinois that the person owning and operating or~~
6 ~~being transported in a motor vehicle is afflicted with or~~
7 ~~suffers from systemic or discoid lupus erythematosus or~~
8 ~~albinism and the certification must be carried in the motor~~
9 ~~vehicle at all times. The certification shall be legible and~~
10 ~~shall contain the date of issuance, the name, address, and~~
11 ~~signature of the attending physician, and the name, address,~~
12 ~~and medical condition of the person requiring exemption. The~~
13 ~~information on the certificate for a window treatment must~~
14 ~~remain current and shall be renewed annually by the attending~~
15 ~~physician. The owner of the vehicle shall also submit a copy of~~
16 ~~the certification to the Secretary of State. The Secretary of~~
17 ~~State may forward notice of certification to law enforcement~~
18 ~~agencies.~~

19 (h) Paragraph (a) of this Section shall not apply to motor
20 vehicle stickers or other certificates issued by State or local
21 authorities which are required to be displayed upon motor
22 vehicle windows to evidence compliance with requirements
23 concerning motor vehicles.

24 (i) Those motor vehicles exempted under paragraph (f) (1) of
25 this Section shall not cause their windows to be treated as
26 described in paragraph (a) after January 1, 1993.

1 (j) A person found guilty of violating paragraphs (a), (b),
2 or (i) of this Section shall be guilty of a petty offense and
3 fined no less than \$50 nor more than \$500. A second or
4 subsequent violation of paragraphs (a), (b), or (i) of this
5 Section shall be treated as a Class C misdemeanor and the
6 violator fined no less than \$100 nor more than \$500. Any person
7 convicted under paragraphs (a), (b), or (i) of this Section
8 shall be ordered to alter any nonconforming windows into
9 compliance with this Section.

10 (Source: P.A. 94-564, eff. 8-12-05.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.